

REMARKS

New claims 37-71 are added.

Potentially Interfering Published Application

Applicant informs the Examiner that this Preliminary Amendment presents one or more claims that may correspond to one or more claims published on January 20, 2005 in U.S. Patent Application Publication US 2005/0013812 A1 (Dow et al.). See 37 C.F.R. § 10.23(c)(7). Accordingly, Applicant brings this published patent application to the Examiner's attention for consideration under 35 U.S.C. § 102(e), 102(g) and 135(a).

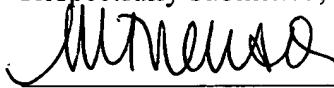
Applicant is submitting this Preliminary Amendment out of an abundance of caution to preserve the right to pursue any claim that may be considered as corresponding to a claim in U.S. Patent Application Publication US 2005/0013812 A1. See 35 U.S.C. § 135(b)(2). Applicant is also preserving the right to suggest an interference with U.S. Patent Application Publication US 2005/0013812 A1.

Applicant brings to the Examiner's attention that the disclosure on which the attached claims are based was first filed at least as early as March 5, 2001 in an application that published as U.S. Patent Application Publication US 2002/0156033 A1 on October 24, 2002 and to which the instant application claims priority. Accordingly, Applicant's latest effective filing date of March 5, 2001 predates that of U.S. Patent Application Publication US 2005/0013812 A1 by more than two years. Furthermore, U.S. Patent Application Publication US 2002/0156033 A1 should be material to at least some of the claims published in U.S. Patent Application Publication US 2005/0013812 A1.

CONCLUSION

If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,



Maria A. Trevisan, Reg. No. 48,207
WOLF, GREENFIELD & SACKS, P.C.
Federal Reserve Plaza
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
(617) 646-8000

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